

# TOWN OF DAVIE

## TOWN COUNCIL AGENDA REPORT

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Mark Kutney, AICP, Development Services Director/(954) 797-1101

**SUBJECT:** Resolution  
DG 6-1-02 Emerald Isles, 4701 SW 62 Avenue/generally located on the north side of SW 48 Street approximately 300 feet east of Davie Road.

**AFFECTED DISTRICT:** District 1

### **TITLE OF AGENDA ITEM:**

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE "EMERALD ISLES" PLAT, AND PROVIDING AN EFFECTIVE DATE.

**REPORT IN BRIEF:** Petitioner is requesting to amend the restrictive note on the "Emerald Isles" plat (137-27) from "this plat is restricted to 216 garden apartments consisting of 54 one-bedroom units, and 162 two bedroom units" to "this plat is restricted to 144 garden apartments consisting of 112 two-bedroom units and 32 three-bedroom units".

**Current Plat Note:** This plat is restricted to 216 garden apartments consisting of 54 one-bedroom units, and 162 two bedroom units.

**Proposed Plat Note:** This plat is restricted to 144 garden apartments consisting of 112 two-bedroom units and 32 three-bedroom units.

Staff finds that the proposed amendment is consistent with the existing and proposed use of the subject site and has no objection to the request.

**PREVIOUS ACTIONS:** None

**CONCURRENCES:** None

**FISCAL IMPACT:** None

**RECOMMENDATION:** Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

**Attachments:** Resolution, Planning Report, Justification letter, Plat, Future land use map, Subject site, zoning and aerial map

RESOLUTION \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE "EMERALD ISLES" PLAT, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as Emerald Isles was approved by the Town of Davie by Resolution No. R-86-191 on October 15, 1986; and

WHEREAS, the owners desire to revise the restrictive note associated with said plat; and

WHEREAS, Broward County requires the Town of Davie to concur with this amendment prior to a review of the proposed amendment by the Broward County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie does hereby approve the proposed revision to the restrictive note show on the Emerald Isles plat, the proposed revision being specifically described on the planning report attached hereto as Exhibit "A".

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2002.

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2002.

Application #: DG 6-1-02/Emerald Isles  
Exhibit "A"

Revisions:  
Original Report Date: 8/14/2002

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**TOWN OF DAVIE**  
**Development Services Department**  
**Planning & Zoning Division Staff**  
**Report and Recommendation**

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**APPLICANT INFORMATION**

<b><u>Owner:</u></b>	<b><u>Agent:</u></b>
<b>Name:</b> Barry Goldstein Olympia Mortgage Corporation	<b>Name:</b> Pillar Consultants, Inc. John A. Sokol
<b>Address:</b> 1413 Avenue J	<b>Address:</b> 5400 S. University Dr. Suite 101
<b>City:</b> Brooklyn, NY 11230	<b>City:</b> Davie, FL 33328
<b>Phone:</b> (800) 888-5280	<b>Phone:</b> (954) 680-6533

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**BACKGROUND INFORMATION**

**Application History:** No deferrals have been requested.

**Application Request:** Petitioner is requesting to amend the restrictive note on the "Emerald Isles" plat (137-27) from "this plat is restricted to 216 garden apartments consisting of 54 one-bedroom units, and 162 two bedroom units" to "this plat is restricted to 144 garden apartments consisting of 112 two-bedroom units and 32 three-bedroom units".

**Address/Location:** 4701 SW 62 Avenue/Generally located on the north side of SW 48 Street approximately 300 feet east of Davie Road.

**Future Land Use Plan Designation:** Regional Activity Center

**Zoning:** RM-16, Medium-High Density Dwelling District

**Existing Use:** 60 two-bedroom garden apartments

**Proposed Use:** 144 garden apartments consisting of 112 two-bedroom units and 32 three-bedroom units

**Parcel Size:** 11.126 acres (484,648.56 square feet)

	<b><u>Surrounding Uses:</u></b>
<b>North:</b>	Emerald Isles West/Vacant
<b>South:</b>	Marco Gardens/Vacant
<b>East:</b>	Single Family Residential/Vacant
<b>West:</b>	Single Family Residential/Palm Gardens

<b><u>Surrounding Land</u></b>
<b><u>Use Plan Designation:</u></b>
Regional Activity Center
Regional Activity Center
Regional Activity Center/ Residential (3 DU/AC)
Residential (16 DU/AC)/ Commercial

**Surrounding Zoning:**  
**North:** Griffin Corridor District (Downtown Zone)  
**South:** B-2, Community Business District/RM-16, Medium High Density Dwelling  
**East:** Griffin Corridor District/ A-1, Agricultural District/R-3, Low Density Dwelling  
**West:** Griffin Corridor District/ A-1, Agricultural District

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## **ZONING HISTORY**

**Related Zoning History:** None.

**Previous Request on same property:** Town Council approved the boundry plat Emerald Isles (P 7-1-86) with Resolution No. R-86-191 on October 15, 1986.

A site plan, SP 9-1-98, was approved by Town Council, was never constructed, and subsequently expired.

A site plan, SP 6-6-00, was approved by Town Council on December 20, 2000. This site plan also expired.

A site plan, SP 2-2-02, was approved by Town Council on June 5, 2002 subject to the condition specified in the planning report. The planning report specifies that a plat note amendment shall be submitted and approved by Broward County prior to the issuance of any building permit.

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## **APPLICATION DETAILS**

Petitioner is requesting to amend the restrictive note on the “Emerald Isles” Plat (137-27) to reflect proposed level of development.

**Current Plat Note:** This plat is restricted to 216 garden apartments consisting of 54 one-bedroom units, and 162 two bedroom units.

**Proposed Plat Note:** This plat is restricted to 144 garden apartments consisting of 112 two-bedroom units and 32 three-bedroom units.

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## **Applicable Codes and Ordinances**

The effective code of ordinances governing this project is the Town of Davie Land Development Code.

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## **Significant Development Review Agency Comments**

Broward County Development Management Division is the County lead agency in assessing the impact of development through the plat and/or delegation request process. Broward County requires that the petitioner request to amend or revise the level of approved development on the plat. Such requests must be approved by the local municipality and County Commission, and then subsequently recorded against the plat. As part of the

delegation request process, the property would be reviewed for traffic concurrency and assessed any additional traffic impact fees, or mitigation measures, as applicable.

Town of Davie Engineering Division had no comment on the proposed delegation request.

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### **Comprehensive Plan Considerations**

**Planning Area:** This Planning Area is south of Griffin Road, generally north of Stirling Road, east of SW 76 Avenue and west of the Florida Turnpike. This area is predominantly agricultural in nature with scattered low-density single-family residential development. Low profile commercial development lines the Griffin Road, Davie Road, and Stirling Road corridors.

**Flexibility Zone:** The subject site falls within Flexibility Zone 102.

**Broward County Land Development Code:** The Broward County Land Development Code requires that any changes or waivers to requirements of development permit applications be reviewed and approved or disapproved by the municipality with final approval by Broward County Commission.

**Applicable Goals, Objectives & Policies:** The proposed plat is generally consistent with the goals, objectives and policies of the Comprehensive Plan.

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### **Staff Analysis/Findings of Fact**

The proposed amendment is consistent with the existing and proposed use of the subject site and will result in seventy-two less dwelling units at the site. The site will include no one bedroom units, fifty fewer two bedroom units and an additional thirty-two three bedroom units. Staff has no objection to the request.

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### **Staff Recommendation**

**Recommendation:** Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

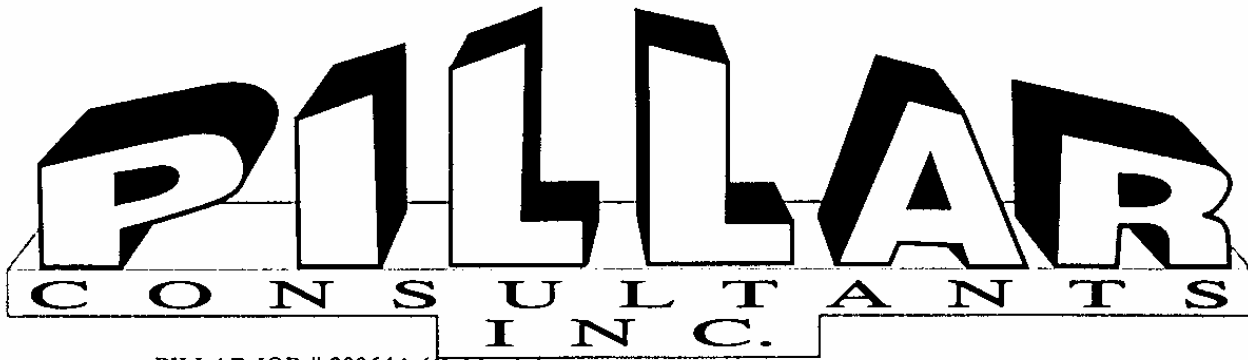
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### **Exhibits**

1. Justification letter
2. Plat
3. Future Land Use Map
4. Subject Site, Zoning and Aerial Map

Prepared by: \_\_\_\_\_

Reviewed by: \_\_\_\_\_



PILLAR JOB # 88064A (Goldstein) Lic. #QB-0015697  
JASMINE LAKES

### LETTER OF JUSTIFICATION

The "EMERALD ISLES" Plat (P.B. 137, Pg. 27, Broward County Records) was recorded on January 11, 1989. The restrictive note currently reads, "restricted to 216 Garden Apartments consisting of 54-one bedroom units and 162 two-bedroom units".

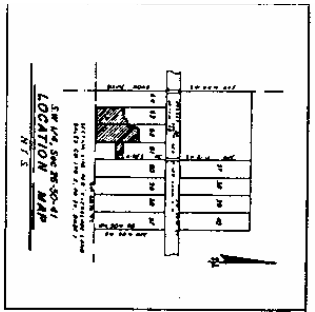
The owner desires to reduce the restrictive note to reflect a maximum of 144 Garden apartments consisting of 112 two-bedroom units and 32 three-bedroom units. This request will conform with the approved site plan which limits the proposed build-out of the Jasmine Lakes Multi-family Development to 144 Garden Apartments.

The change will also reduce traffic flow within the complex and along the local streets adjacent to and near the complex.

0015697

**General Contracting • Design/Build • Construction Management  
Consulting Engineers • Planners • Surveyors**

5400 SOUTH UNIVERSITY DRIVE, SUITE 101 • DAVIE, FLORIDA 33328 • OFFICE 954-680-6533 • FAX 954-680-0323



# EMERALD ISLES

A REPLAT OF A PORTION OF "EMERALD'S LAND SALES COMPANY SUBDIVISION", PG. 2, PG. 34, RECORDS OF DADE COUNTY, FLORIDA, LYING IN AND BEING IN TRACTS 61, 62 & 63 OF SECTION 26, TWP. 50 S., RGE. 41 E., IN THE CITY OF DAVE, BROWARD COUNTY, FL.

PLAT BOOK 137 PAGE 27  
SHEET 1 OF 2 SHEETS

8501607

PLAT BOOK 137 PAGE 27  
SHEET 1 OF 2 SHEETS

## RECAPITULATION

THIS IS TO CERTIFY THAT THE ABOVE RECAPITULATION OF THE RECORDS OF THE DADE COUNTY, FLORIDA, RECORDS, PG. 2, PG. 34, RECORDS OF DADE COUNTY, FLORIDA, LYING IN AND BEING IN TRACTS 61, 62 & 63 OF SECTION 26, TWP. 50 S., RGE. 41 E., IN THE CITY OF DAVE, BROWARD COUNTY, FL.

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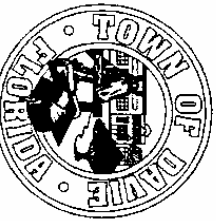
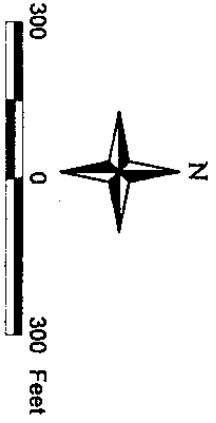
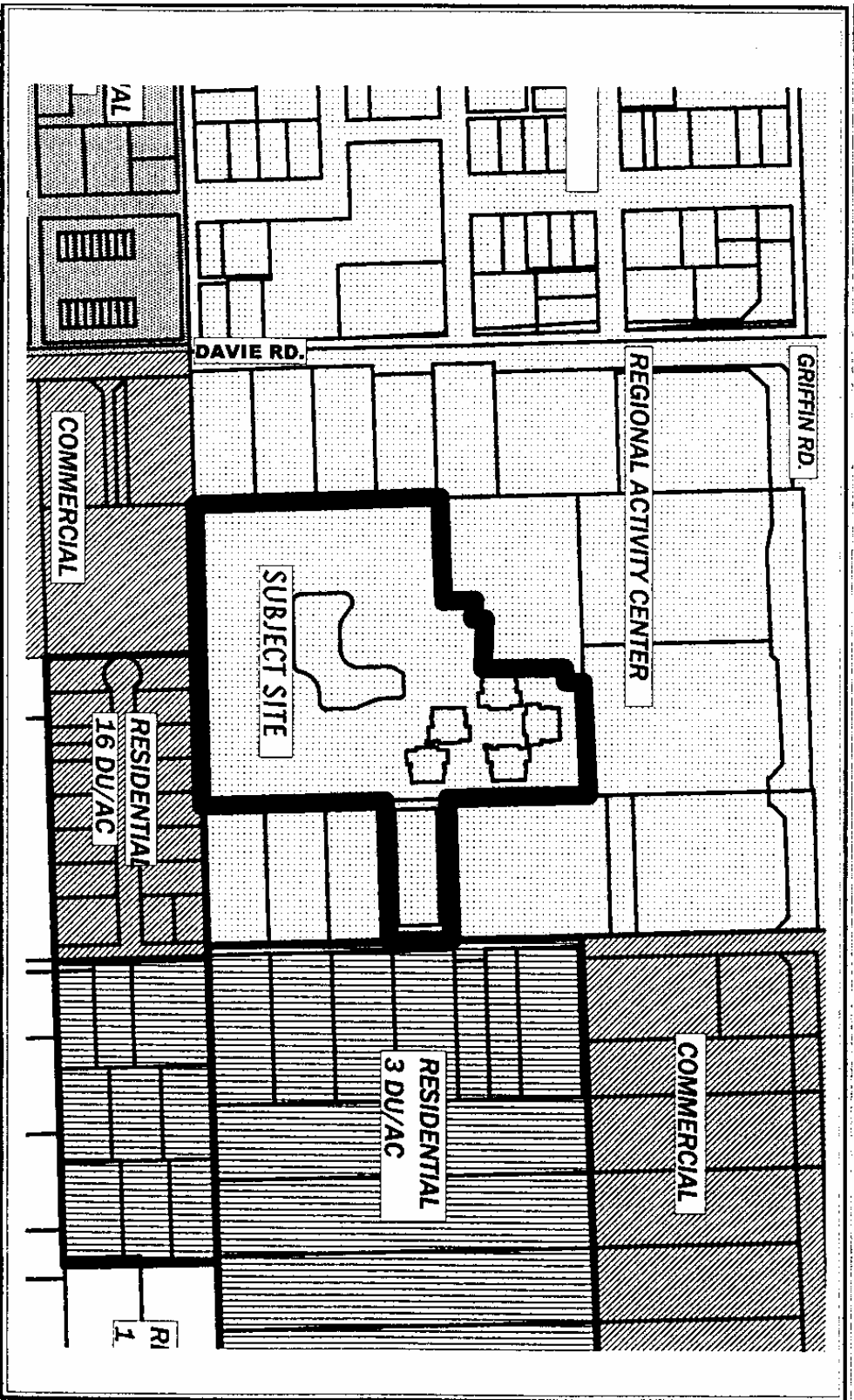
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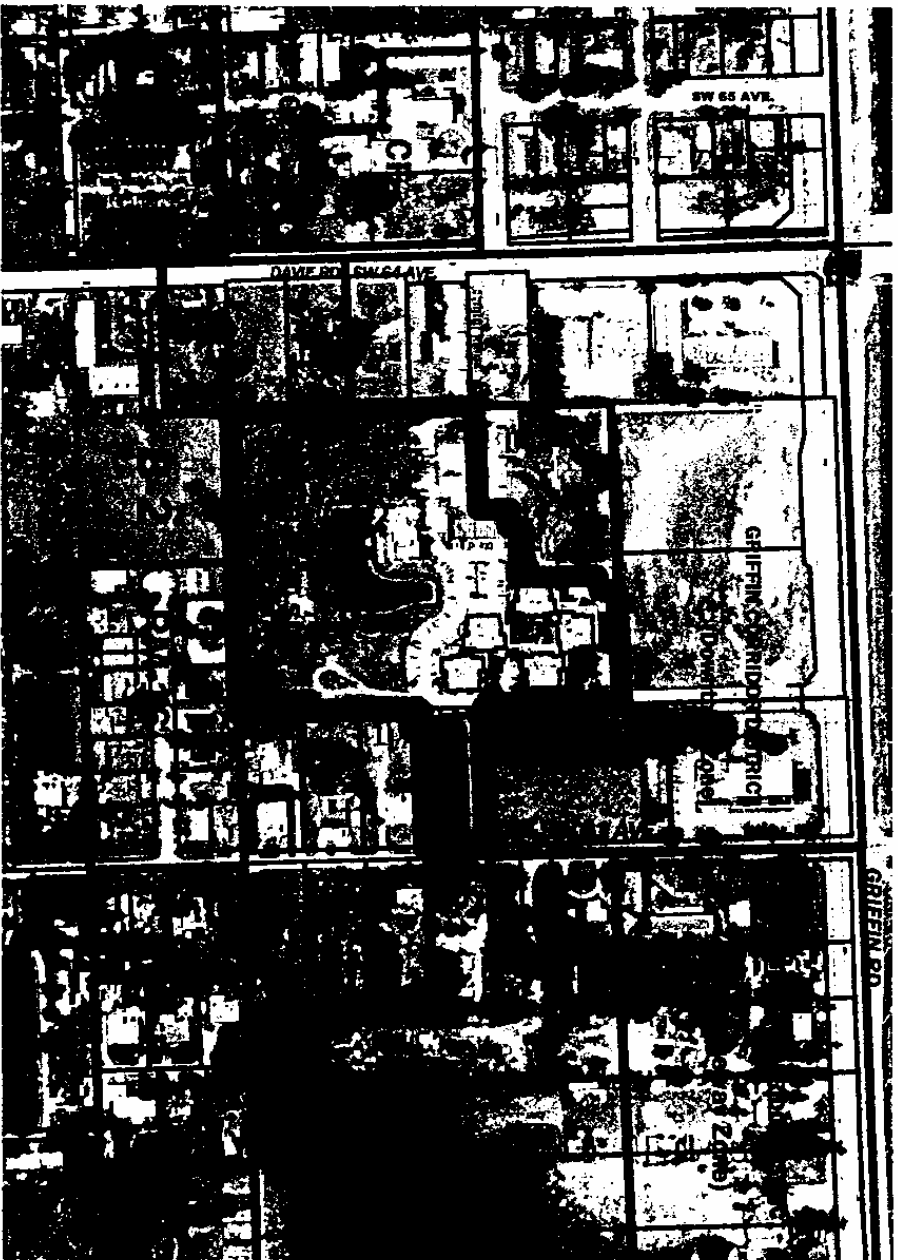






PETITION NUMBER: DG-6-1-02

FUTURE LAND USE MAP  
Scale: 1" = 300'  
Planning & Zoning Division - GIS  
Prepared 7/24/02



300  
0  
300 Feet



PETITION NUMBER: DG 6-1-02

Zoning and Aerial Map

Date: Flown: January, 2001

Scale: 1"= 300'

Planning & Zoning Division - GIS

Prepared 7/24/02